

Incineration of toxic and dangerous waste: rectification of legal basis

1992/0406(SYN) - 11/07/1994 - Council position

The common position incorporates the four amendments by the European Parliament accepted by the Commission in its amended proposal: - an amendment specifying the objectives of the directive: "or, where that is not practicable, to reduce as far as possible negative effects"; - the exclusion from the scope of the directive of combustible liquid wastes, including waste oils, "provided that they meet [...] three criteria"; - an amendment on keeping samples, which must be kept for at least one month after the incineration; - an amendment introducing a limit value of 0.1 ng/m³ for emissions of dioxins and furans as of 1 January 1997, this value to be used as a guide until then. The other 14 parliamentary amendments accepted by the Commission were not included in the common position, due to the changes made by the Council, all of which tend to make the technical requirements less severe or simplify the procedures. In addition, the Council introduced the following new elements: - the legal basis for the directive is now Article 130S of the Treaty; - incinerators for animal carcasses and incinerators for infectious but not hazardous clinical waste have been excluded from the scope of the directive; - the lower threshold for co-incineration installations (10% of the heat produced) has been deleted and the formula for calculating the limit values applicable to these installations has been amended; - the emission limit values have been lowered; - the disposal in water of liquid waste from the cleaning of exhaust gases has been allowed for all installations, whereby the Council must establish specific limit values for these effluents within two years; - the deadline for the application of the directive to existing installations has been changed to three and a half years; - the provision on revising licences every five years has been replaced by a provision allowing for new emission limit values to be submitted to the Council by 31 December 2000. - the type IIIa committee has been replaced by a type IIIb committee; - the provisions on reports on the implementation of the directive have been amended.